

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 02-0108-02 MMC

Plaintiff,

v.

BYRON FISHER,

Defendant

**ORDER GRANTING IN PART
DEFENDANT FISHER'S MOTION TO
FILE DOCUMENTS UNDER SEAL;
DIRECTIONS TO CLERK; DIRECTIONS
TO DEFENDANT**

Before the Court is defendant Byron Fisher's Motion to File Documents Under Seal ("Motion"), submitted February 27, 2009, by which defendant seeks leave to file under seal a Status Memorandum. Having read and considered defendant's Motion, the Court rules as follows:

1. Defendant has shown that the Status Memorandum includes material properly filed under seal, specifically, page 4, line 5 through and including line 10 thereof. Accordingly, defendant's Motion is hereby GRANTED to the extent defendant seeks leave to file said portion of the Status Memorandum under seal, and the Clerk is DIRECTED to file the unredacted version of the Status Memorandum, as well as the Motion, under seal.

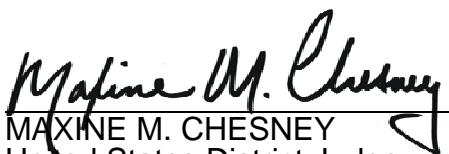
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1 2. Defendant is DIRECTED to file in the public record, no later than March 9, 2009,
2 a redacted version of the Status Memorandum, i.e., a version from which page 4, line 5
3 through and including line 10 is redacted therefrom.¹ See Civil L. R. 79-5(a) (providing
4 request to file document under seal “must be narrowly tailored to seek sealing only of
5 sealable material”); Crim. L.R. 2-1 (providing Civil Local Rules apply to criminal actions,
6 except where inconsistent with provisions of law specifically applicable to criminal actions).

7 **IT IS SO ORDERED.**

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9 Dated: March 3, 2009

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11 MAXINE M. CHESNEY
12 United States District Judge

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28 ¹Defendant does not argue that the remaining portions of the Status Memorandum
are properly filed under seal.